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| Seal2  **CHARLES D. BAKER**  Governor  **KARYN E. POLITO**  Lt. Governor | The Commonwealth of Massachusetts  Executive Office of Public Safety and Security  One Ashburton Place, Room 2133  Boston, Massachusetts 02108  Tel: (617) 727-7775  TTY Tel: (617) 727-6618  Fax: (617) 727-4764  www.mass.gov/eopss | **THOMAS A. TURCO, III**  Secretary |

**RESTRICTIVE HOUSING OVERSIGHT COMMITTEE: SUBCOMMITTEE ON EVALUATIONS**

**MEETING MINUTES**

**Date:** November 13th, 2019

**Time:** 10:00am-11:00am

**Place:** Massachusetts State House

5th Floor Conference Room

Boston, MA 02133

**1. Call to Order and Approval of Meeting Minutes**

The meeting was called to order at 10:03am. Meeting minutes were moved to be approved by Tony Riccitelli and seconded by Sean Medeiros.

**2. Continue Discussion on Charge of Subcommittee, New Available Research, and Report Writing**

Bob planned to discuss the report today and look at the literature on restrictive housing. As decided at the last meeting, they would look at four states and overseas models. He moved to make assignments. Sean looked at the ones from the Liman Center and mentioned Mississippi as an option. Bob said he believes they have SAUs and a step-down model. They mentioned Ohio and Colorado as being closest in size to Massachusetts. North Dakota has been discussed at previous meetings and is quite a small state. Sean M. suggested looking at Colorado because they claim to have essentially eliminated restrictive housing. Sean said he is not entirely sure if what they do now is considered restrictive housing. Inmates come out of their cells in restraints and do their programming which some may consider to be restrictive housing. Sean said Colorado would be very interesting. Ohio is another state that the subcommittee decided they would like to look at. There was some discussion on Connecticut and if they have done any reforms. Sean mentioned reaching out to the Vera Institute on restrictive housing and get some ideas. John M. gave the update that they would be working with us and having monthly calls with EOPSS to discuss restrictive housing. Sean discussed that Vera has worked with other states. Bob mentioned that Vera is a foundation and they have a well-populated website with some good information. Sean mentioned Prison Fellowship as being another potential resource. Sean suggested contacting Vera to see if there is another state the group should look into. Sean said he would take Colorado. Brandy said she can take on the international model. Bob said he can also work on the international model. Tony will take Ohio. Brandy said she will look at the other unknown state, to be decided after Bob speaks to Vera. The former chief psychiatrist for Ohio is Kathy Burns and Bob said he would pass along her contact information. Those will be the other states besides Massachusetts that will be looked at. Sean and Tony asked if we are looking at them and making recommendations for Massachusetts based on the outcomes of the research from other states. What they’ve done, why they did it (litigation, internal policy changes, legislation), if they have any analysis as to whether or not they work. Brandy asked how to we decide if something works. Bob said the impact of staff’s lost time due to injuries, etc. is often looked at. He said we can look at staff morale. Bob said there may be things in the literature about staff buy-in, etc. There was some discussion about the statute and what the legislature is looking for the subcommittee to report out on. Sean said we could compare Massachusetts at the state and county level and see what we have done or could do. Bob said we should look at what is in common between Massachusetts and other models. Tony said he is not sure if there is going to be any one way of deciding how to evaluate the other models except based on opinion. Sean said a lot of states are doing what Massachusetts is doing. Bob asked what EOPSS is thinking the report should look like. John said he agrees we need to split up the report writing. He said each subcommittee will handle their part and we might need to form an additional subcommittee to supplement and make sure that it flows. John offered to help in some capacity. Tony asked about Section 35 and if we could get some guidance with their report. John said that he could look at how they did their report and who put it together. Sean asked if each subcommittee should publish their own report. John said he has envisioned it as one report with multiple sections and he can take time to work on a draft for review by the committee. A town councilor in Watertown said she is familiar with open meeting law and that the public can see the draft and just can’t respond back. Bob said each member of the subcommittee should plan to write up their findings and one uniform way. Bob said he will be sending out a template of how each of the evaluations should be done and what they should look like. Bob said he thinks we should be able to do this in 4-5 pages. Brandy asked if Bob meant per state and he clarified yes, per state. Sean suggested we look at the generally accepted standards on solitary confinement. So far, we have ACA and the Mandela standards and National Commission on Corrections standards. Tony mentioned he can send the DMH regs on restraint seclusion. Everyone agreed they would like to take a look at them. Brandy said especially when dealing with those with SMI, the DMH standards would be very helpful to see. Bob said the standards on restraint seclusion are among the best and extremely well written. Sean said he could look at ASCA to see if they have any research on this. Bob said he would get the American Psychiatric and Psychological Association Standards. Bob said they vary greatly. Brandy said she is wondering that we might want to start by looking at these standards first to inform our evaluations of other states. Bob mentioned the American Bar Association also has standards. Sean asked what the timeline looks like. John said that the Committee could file reports late or file a letter informing the legislature that it will be sent in late. Tony mentioned that this subcommittee could be done by the spring and that the “conditions” subcommittee may not be able to complete their subcommittee meetings by the spring given the fact that the site visits will be continuing into the spring. Brandy said if we do something very comprehensive the first year, the committee could just add updates every year or do a preliminary report now and work on something more comprehensive for next year. Brandy said another approach could be the first report is our plan, the second is more comprehensive, and the third could be speaking about the updates since the last report. There was some discussion about getting Senator Eldridge and Brownsberger to speak at a Committee meeting on what the rationale behind the legislation is. Bob mentioned Texas as being another option.

The meeting adjourned at 10:52am.